IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO. 643 OF 2005

IN

SUMMARY SUIT NO. 3370 OF 2003

Manisha Kishore Adnani ...Plaintifs

vs.

Kaylal Builders P.Ltd and anr. ...Defendants

Ms. Kavita Lalwani, advocate

for the plaintiffs.

None for the defendants.

CORAM: SMT. NISHITA MHATRE, J.

DATE : 27TH MARCH, 2006.

P.C. :

1. The plaintiff has filed the present

Summary Suit based on a Demand Bill of Exchange. It is the plaintiffs case that an amount of Rs.75,000/- was paid by the plaintiff as consideration of the Demand Bill of Exchange executed by the defendant no.1 and accepted by the defendant no.2. The plaintiff on 1.3.2000 presented the Demand Bill of Exchange for payment but the same is dishonoured by the defendants. Thereafter on 25.6.2001 Rs.10,000/- was paid towards the outstanding amount. According to the plaintiff the defendant has also paid a further amount of Rs.5000/- on 13.6.2004 and now the amount of Rs.60,000/- is payable alongwith interest.

2. The plaintiff has filed an affidavit indicating service of the writ of summons on the defendants. Nobody appears for the defendants nor is there any appearance filed.

3. The plaintiff has produced the original of the Demand Bill of Exchange and the demand made by her through her advocate. These

documents bare out the case made out by the plaintiff in the plaint. There is no defence to the averments made in the plaint.

4. In my view the decree must follow. Summons for Judgment made absolute.

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